

- 33 for each biweekly period resulting in an annual paid time off leave of 200.20
- 34 hours (approximately 25 workdays).
- 35 c. Paid time off leave shall be earned by each employee with more than 9 years
- 36 and 19 years or less of continuous service at the rate of 9.24 paid time off hours
- 37 for each biweekly pay period resulting in an annual paid time off leave of 240.24
- 38 hours (approximately 30 workdays).
- 39 d. Paid time off leave shall be earned by each employee with more than 19 years
- 40 and 29 years or less of continuous service at the rate of 10.77 paid time off hours
- 41 for each biweekly pay period resulting in an annual paid time off leave of 280.02
- 42 hours (approximately 35 workdays).
- 43 e. Paid time off leave shall be earned by each employee with more than 29 years of
- 44 continuous service at the rate of 12.31 paid time off hours for each biweekly pay
- 45 period resulting in an annual paid time off leave of 320.06 hours (approximately
- 46 40 workdays).

47 4. DEFINITION OF CONTINUOUS SERVICE AND REQUIRED SERVICE – An

48 employee in the paid time off plan must be in pay status for over half of the

49 employee's standard work hours in a biweekly period to accrue paid time off credit

50 for that period. Short-term disability is not considered pay status. Full-time

51 employees who are out of pay status for more than eight hours per pay period for

52 seven consecutive pay periods will accrue benefits in proportion to time actually

53 worked or in pay status.

54 5. DEFERMENT OF PAID TIME OFF – An employee with the approval of the

55 Appointing Authority may defer paid time off but any deferred paid time off accrued

56 may not exceed one and a half times the hours earned annually or 480 hours,

57 whichever is less. The following list is illustrative of years of service and maximum

58 hours of paid time off which may be deferred:

59 Years of Service	Maximum Deferred Paid Time Off Allowed
60 < 5.....	240.24
61 5 < 10.....	300.30
62 10 < 20.....	360.36
63 20 < 30.....	420.03
64 30+.....	480.09

65

65 6. APPLICATION FOR PAID TIME OFF

66 a. Application for paid time off should be made by the employee to the Appointing
67 Authority in advance of the absence, when possible. Paid time off for those
68 qualifying shall be scheduled by the Appointing Authority in such manner as to
69 protect the effective operation of the department and the public interest.

70 b. Earned paid time off shall normally be taken as time off. In unusual cases,
71 however, if the workload of the organizational unit makes the granting of paid
72 time off impractical or undesirable, the employee may be granted pay by the
73 Appointing Authority in lieu of paid time off, subject to the approval of the
74 Personnel Director. However, no employee shall be required to work more than
75 one and a half years without using some paid time off.

76 (1) Any absence chargeable to paid time off leave shall be reported in
77 increments of tenths of an hour.

78 (2) Only those hours for which an employee normally would have been required
79 to work and receive pay shall be charged against accrued paid time off. A
80 holiday as authorized in these rules falling on a workday within a period of
81 paid time off is not considered as part of the employee's paid time off leave.

82 7. EFFECT OF TRANSFER, PROMOTION AND DEMOTION UPON PAID TIME OFF

83 – An employee who moves from one department or organizational unit to another
84 shall at the time of such move have accrued paid time off leave transferred as an
85 obligation of the new employing department or be paid by the employee's former
86 department.

87 8. EFFECT OF REINSTATEMENT – An employee who is reinstated within two years
88 of separation from work shall accrue paid time under the PTO pay according to
89 years of service at the time of separation. Any previous sick time will not be
90 reinstated.

91 9. EFFECT OF OTHER LEAVES UPON PAID TIME OFF

92 a. All accumulated and unused paid time off shall be credited to any employee
93 returning from a leave of absence.

94 b. An employee on military leave without pay shall not accrue paid time off during
95 the period of such leave, but the period of such leave shall be counted in the
96 length of continuous service for determining the paid time accrual rate.

97

97 10. PAYMENT OF PAID TIME OFF UPON TERMINATION

- 98 a. A permanent employee or an employee who has completed six months of
- 99 service, who leaves County employment, shall receive a lump sum payment for
- 100 accrued paid time off leave up to and including the last day of employment.
- 101 b. Employees who leave County service during the first six months of employment
- 102 shall not receive payment for accrued paid time off leave.
- 103 c. Regardless of the employee’s length of service any accrued paid time off leave
- 104 due an employee who dies in service shall be paid to the employee’s estate
- 105 unless the employee previously had directed the Chief Accounting Officer, in
- 106 writing, to make the payment in a different manner.

107 SECTION B. TRADITIONAL TIME OFF PLAN

108 1. ACCRUAL OF VACATION TIME

- 109 a. Each full-time permanent or probationary employee in the traditional time off plan
- 110 shall be entitled to earn and accrue vacation leave with full pay in accordance
- 111 with the provisions of this section. Exception: a full-time employee who is out of
- 112 pay status for more than eight hours per pay period for seven consecutive pay
- 113 periods will only accrue benefits in proportion to the hours in pay status.
- 114 b. Each part-time permanent or probationary employee in the traditional time off
- 115 plan shall be entitled to earn and accrue vacation with pay in proportion to the
- 116 actual time worked, provided the employee is regularly engaged on a biweekly
- 117 basis in employment of 40 hours or more.
- 118 c. Vacation shall not be granted to temporary, emergency, seasonal, or on-call
- 119 employees or to employees compensated in accordance with session rate
- 120 schedules.
- 121 d. Vacation benefits for term employees shall be determined at time of appointment
- 122 and in accordance with the nature and length of the term of appointment. These
- 123 benefits shall be recommended by the Appointing Authority and are subject to
- 124 approval by the Civil Service Commission.

- 125 2. REQUIRED EMPLOYMENT PERIOD FOR VACATION LEAVE – If an employee is
- 126 in the traditional time off plan, vacation leave shall be earned from the effective date
- 127 of appointment to a permanent position but may not be used or paid until an
- 128 employee has completed six months of continuous service and has met the other
- 129 requirements specified in this section. Any exceptions to this section must be

130 approved in advance by the Civil Service Commission. However, any employee
131 appointed or reinstated to a permanent or term position on or after January 1, 2002
132 shall not be allowed to enroll in the traditional time off plan.

133 3. VACATION ALLOWANCE

- 134 a. Vacation leave shall be earned by each employee with four years or less of
135 continuous service at a rate of 3.08 vacation hours for each biweekly period
136 resulting in an annual vacation leave of 80.08 hours (approximately 10
137 workdays).
- 138 b. Vacation leave shall be earned by each employee with more than four years and
139 11 years or less of continuous service at the rate of 4.62 vacation hours for each
140 biweekly period resulting in an annual vacation leave of 120.12 hours
141 (approximately 15 workdays).
- 142 c. Vacation leave shall be earned by each employee with more than 11 years and
143 20 years or less of continuous service at the rate of 6.16 vacation hours for each
144 biweekly pay period resulting in an annual vacation leave of 160.16 hours
145 (approximately 20 workdays).
- 146 d. Vacation leave shall be earned by each employee with more than 20 years and
147 30 years or less of continuous service at the rate of 7.70 vacation hours for each
148 biweekly pay period resulting in an annual vacation leave of 200.20 hours
149 (approximately 25 workdays).
- 150 e. Vacation leave shall be earned by each employee with more than 30 years of
151 continuous service at the rate of 9.24 vacation hours for each biweekly pay
152 period resulting in an annual vacation leave of 240.24 hours (approximately 30
153 workdays).

154 4. DEFINITION OF CONTINUOUS SERVICE AND REQUIRED SERVICE – An
155 employee in the traditional time off plan must be in pay status for over half of the
156 employee's standard work hours in a biweekly period to accrue vacation credit for
157 that period. Full-time employees who are out of pay status for more than eight hours
158 per pay period for seven consecutive pay periods will accrue benefits in proportion to
159 time actually worked or in pay status.

160 5. DEFERMENT OF VACATION – Vacation should normally be taken annually.
161 However, an employee with the approval of the Appointing Authority may defer
162 vacation but any deferred vacation accrued may not exceed twice the hours earned

163 annually or 320.32 hours, whichever is less. The following list is illustrative of years
164 of service and maximum hours of vacation which may be deferred:

165	Years of Service	Maximum Deferred Vacation Allowed
166	0 – 1	80.08
167	1 – 4	160.16
168	4 – 5	200.20
169	5 – 11	240.24
170	11 – 12	280.28
171	12+	320.32

172 6. APPLICATION FOR VACATION

173 a. Application for vacation must be made by the employee to the Appointing
174 Authority in advance of the absence. Vacations for those qualifying shall be
175 scheduled by the Appointing Authority in such manner as to protect the effective
176 operation of the department and the public interest.

177 b. Earned vacations shall normally be taken as time off. In unusual cases,
178 however, if the workload of the organizational unit makes the granting of vacation
179 impractical or undesirable, the employee may be granted pay by the Appointing
180 Authority in lieu of vacation, subject to the approval of the Personnel Director.
181 However, no employee shall be required to work more than two years without a
182 vacation.

183 (1) Any absence chargeable to vacation leave shall be reported in increments
184 of tenths of an hour.

185 (2) Only those hours for which an employee normally would have been required
186 to work and receive pay shall be charged against accrued vacation. A
187 holiday as authorized in these rules falling on a workday within a period of
188 vacation is not considered as part of the employee's vacation.

189 7. EFFECT OF TRANSFER, PROMOTION AND DEMOTION UPON VACATION – An
190 employee who moves from one department or organizational unit to another shall at
191 the time of such move have accrued vacation leave transferred as an obligation of
192 the new employing department or be paid by the employee's former department.

193 8. EFFECT OF OTHER LEAVES UPON VACATION

194 a. Vacation leave shall continue to accrue during authorized paid time off.

195 b. All accumulated and unused vacation shall be credited to any employee returning
196 from a leave of absence.

197 c. An employee on military leave without pay shall not accrue vacation during the
198 period of such leave but the period of such leave shall be counted in the length of
199 continuous service for determining the vacation accrual rate.

200 9. PAYMENT OF VACATION UPON TERMINATION

201 a. A permanent employee or an employee who has completed six months of
202 service, who leaves County employment, shall receive a lump sum payment for
203 accrued vacation leave up to and including the last day of employment.

204 b. Employees who leave County service during the first six months of employment
205 shall not receive payment for accrued vacation leave.

206 c. Regardless of the employee's length of service any accrued vacation leave due
207 an employee who dies in service shall be paid to the employee's estate unless
208 the employee previously had directed the Chief Accounting Officer in writing to
209 make the payment in a different manner.

210 SECTION C. SICK LEAVE

211 1. SICK LEAVE USE – Sick leave is to be used with the approval of the Appointing
212 Authority when an employee is unable to perform job duties because of illness,
213 injury, pregnancy, pregnancy related disabilities; when an employee's immediate
214 family member is ill or injured; or other appropriate reasons, including but not be
215 limited to:

216 a. medical, dental or optical examinations and treatment, when such examinations
217 or treatment cannot be scheduled outside the employee's work hours;

218 b. exposure to contagious disease which might jeopardize the health of other
219 employees and/or the public they serve.

220 c. the employee's immediate family member includes spouse, domestic partner,
221 children, domestic partner's children, stepchildren, or a relative living in the same
222 household.

223 2. ACCRUAL OF SICK LEAVE

224 a. Each full-time permanent or probationary employee in the traditional time off plan
225 shall be entitled to earn and accrue sick leave with pay in accordance with the
226 provisions of this section except that full-time employees who are out of pay
227 status for more than eight hours per pay period for seven consecutive pay
228 periods will accrue sick leave in proportion to the hours in pay status.

- 229 b. Each part-time permanent or probationary employee in the traditional time off
230 plan shall be entitled to earn and accrue sick leave with pay in proportion to time
231 actually worked, provided the employee is regularly engaged on a biweekly basis
232 in employment of 40 hours or more and provided further that illness or injury
233 interrupts an actual period of scheduled part-time work.
- 234 c. Emergency, on-call, temporary, seasonal employees or employees compensated
235 in accordance with session rate schedules are not eligible for sick leave with pay.
236 Sick leave benefits for term employees shall be determined at the time of
237 appointment and in accordance with the nature and length of the term
238 appointment. These benefits shall be recommended by the Appointing Authority
239 and be subject to approval by the Civil Service Commission.
- 240 3. REQUIRED EMPLOYMENT PERIOD FOR SICK LEAVE – Sick leave with pay shall
241 be earned from the commencement of employment if the employee is in the
242 traditional time off plan. An employee in the paid time off plan shall not be eligible to
243 earn sick leave.
- 244 4. METHOD OF ACCRUAL AND UNLIMITED ACCUMULATION
- 245 a. Sick leave shall accrue for each permanent and probationary full-time employee
246 in the traditional time off plan at the rate of three hours for each biweekly pay
247 period.
- 248 b. There shall be no limit to the maximum number of sick leave hours which may be
249 accumulated by an employee.
- 250 c. An employee must be in pay status for more than half of the work hours of the
251 employee's standard work schedule in a biweekly pay period to accrue sick leave
252 for that period.
- 253 d. Sick leave shall continue to accrue during the time an employee is on authorized
254 paid time off.
- 255 5. APPLICATION FOR SICK LEAVE – Detailed information regarding use of sick leave
256 will be included in a separate policy.
- 257 6. ANNUAL RECOGNITION FOR EXEMPLARY ATTENDANCE
- 258 a. A full-time employee who has accrued sick leave in the traditional time off plan in
259 each biweekly pay period and who has used no more than eight hours of paid
260 sick leave, excluding time covered under family leave in either eligibility period of
261 January 1 – June 30 or July 1 – December 31 of the calendar year shall receive

262 an additional eight hours of pay for each eligibility period in which the employee
263 has qualified for the sick leave recognition award.

264 (1) At the employee's option, the additional eight hours awarded in each
265 eligibility period may be taken as time off with pay during the following
266 eligibility period in lieu of a cash payment.

267 (2) If required for administrative or cost reasons, or for program effectiveness,
268 the Commission may make such other order relating to increasing or
269 decreasing the recognition award or the requirements for receiving the
270 award as in its discretion may be proper.

271 b. Any cash payment under this provision shall be made within six biweekly pay
272 periods after the employee has qualified for the sick leave recognition award, and
273 no deferment to any subsequent pay period shall be made unless specifically
274 authorized by the Commission. Payment shall be made at the employee's
275 current hourly rate including shift differential when applicable.

276 c. A part-time employee who is regularly engaged on a biweekly basis in
277 employment of 40 hours or more and who is in the traditional time off plan may
278 qualify and be compensated for the sick leave recognition award on a pro rated
279 basis in direct proportion to the employee's regular work hours.

280 d. An employee in the paid time off plan shall not be eligible for the sick leave
281 recognition award.

282 7. CONVERSION OF SICK LEAVE BALANCE AT EMPLOYEE'S RETIREMENT

283 a. No employee shall be reimbursed for accrued sick leave at the time of the
284 employee's termination of County employment, except that employees retiring
285 under the provisions of the County retirement plan immediately upon their
286 termination of County employment shall have one-half of their total sick leave
287 accumulation credited as paid leave immediately prior to retirement or at the
288 discretion of the Appointing Authority be paid in cash upon retirement.

289 b. If an employee, eligible for retirement benefits under the provisions of the County
290 retirement plan, dies prior to receiving the sick leave benefits described in
291 subparagraph a. above, such sick leave benefits shall be paid to the employee's
292 estate unless the employee previously had directed the Chief Accounting Officer
293 in writing to make the payment in a different manner.

294 c. Any cash payment under these provisions shall be computed on the basis of the
295 employee's basic hourly rate at time of retirement or death, not including shift
296 differential pay.

297 8. SICK LEAVE AND OTHER PERSONNEL TRANSACTIONS

298 a. An employee who is returned to duty from a leave of absence or transferred,
299 promoted, demoted, appointed from a layoff list or rehired without an interruption
300 of service as defined by Rule IX, Seniority, shall at the time of such action have
301 their accrued sick leave reinstated by the employing department.

302 b. An employee who returns to active County service and who had received upon
303 retirement an additional benefit based upon the employee's sick leave accrual
304 shall return with a zero sick leave balance.

305 9. WORKERS COMPENSATION LEAVE

306 a. Any merit system employee in pay status who shall suffer from an accident or
307 illness arising out of and in the course of County employment shall be
308 compensated in accordance with the provisions of the Workers Compensation
309 Laws of the State of Missouri and County ordinances.

310 b. Accrued compensatory time, sick, paid time off or vacation leave shall be used
311 as a supplement to Workers Compensation Temporary Total Disability benefits to
312 retain full pay following the salary extension period provided by County
313 Ordinance for a job-related condition.

314 c. Any merit system employee who is absent from work for more than 40 hours in a
315 pay period due to an accident or injury covered under Worker's Compensation
316 shall not be eligible for the sick leave recognition award for that eligibility period.

317 10. CATASTROPHIC SICK LEAVE – The Civil Service Commission may establish a
318 catastrophic leave policy. Details of such a policy are to be included in a separate
319 document.

320 SECTION D. MILITARY LEAVE

321 1. ACTIVE DUTY IN RESERVE CORPS – In addition to leaves of absence otherwise
322 authorized in these rules, employees who are required to participate in periods of
323 training as members of organized units of the Reserve Corps of the Army, Navy, Air
324 Force, Marines Corps, Coast Guard, and the National Guard and who are ordered to
325 active duty shall be granted leave with full pay for a period not to exceed 15
326 workdays in any one calendar year, upon submission of evidence of receipt of

- 327 competent orders. Employees engaged in the performance of duty or training in the
328 service of the State of Missouri at the call of the governor shall be granted a military
329 leave for the entire period of service without loss of time, pay, regular leave or any
330 other rights or benefits.
- 331 2. PHYSICAL EXAMINATIONS – An employee shall be allowed time off with pay not to
332 exceed one work day when required to take a pre-induction physical examination by
333 a Selective Service Board having jurisdiction over the employee, provided that
334 advance notice is given by the employee to the Appointing Authority.
- 335 3. MILITARY SERVICE – A permanent or probationary employee who leaves the merit
336 system to enter the armed services of the United States shall be granted a leave of
337 absence without pay to extend for 90 days beyond the date of termination of such
338 military service or release from treatment in a veteran's hospital if such
339 hospitalization immediately follows termination of military service.
- 340 a. Prior to the expiration of such leave of absence the employee shall be reinstated
341 to the job class occupied at the time military leave was granted, if still qualified to
342 perform the duties of such position, or to a position of like seniority, status and
343 pay.
- 344 b. If not qualified to perform the duties of their former position by reason of service
345 incurred disability, but qualified to perform the duties of another position in the
346 County service, the employee shall be reinstated to another position that will
347 provide like seniority, status and pay, or the nearest approximation thereof,
348 consistent with the circumstances.
- 349 c. If a job class to which the employee has reinstatement rights has, during the
350 period of military leave, been in any way divided, altered, combined with other job
351 classes, or abolished, the employee shall be reinstated to a position in a
352 comparable job class, the duties of which the employee is capable of performing,
353 which will provide like seniority, status and pay. If no such vacant position exists,
354 a vacancy shall be created, if necessary, by demotion or layoff of another
355 employee in accordance with these rules.
- 356 d. An Appointing Authority, with the approval of the Commission, may grant an
357 employee returning from a leave of absence for service in the armed forces of
358 the United States additional leave for the purpose of receiving further training
359 under federal or state laws applying thereto whenever such leave is considered

360 to be in the best interest of the County service. Such leave shall not exceed a
361 period of 12 months. Upon the expiration of the additional leave of absence, the
362 employee shall be reinstated to the job class occupied at the time the leave was
363 granted or a comparable job class. Failure of an employee to report for duty
364 promptly at the expiration of the leave of absence shall result in termination of
365 reinstatement rights.

366 e. An employee on military leave receiving a dishonorable discharge from the
367 armed forces shall not be entitled to reinstatement in the County service.

368 4. ACTIVE DUTY PAY SUPPLEMENT

369 a. Employees committing to return to County service from Military leave for active
370 duty occasioned by call-up of reservists or the National Guard in connection with
371 enforcement of a United Nations Resolution or North Atlantic Treaty Organization
372 (NATO) Obligation shall receive a salary supplement in an amount equal to their
373 County salary less (a) their military pay and (b) salary paid under paragraph 1.
374 above. Such persons shall continue to accrue vacation time or paid time off up
375 to the maximum allowed by these rules and shall continue to accrue sick leave, if
376 the employee is in the traditional time off plan, and shall be entitled to all other
377 rights and benefits of County employees not inconsistent with active military duty.

378 b. The employee shall evidence commitment to return to County service by letter
379 addressed to the employee's Appointing Authority. The letter shall state the
380 employee's intent to return to County service, shall promise to provide notice of
381 any change of rank or status affecting the employee's military compensation, and
382 shall authorize the County to have access to any military records necessary to
383 implement this program. The employee shall also forward a copy of the
384 employee's most recent military Leave and Earnings statement or other proof of
385 military pay.

386 c. An employee's County salary shall be calculated as the salary attributable to the
387 range and rate of pay occupied by the employee at the time leave commences.
388 For full-time employees, the salary will be based on a 40-hour workweek. For
389 part-time employees, the salary will be based on the average hours worked
390 during the preceding five pay periods. Salary shall not include overtime, shift or
391 weekend and holiday differentials, pay increases for which the employee would

392 be eligible during the employee's military leave, auto allowance, incentive
393 payments, nor maintenance allowances.

394 d. Military compensation shall be calculated as the employee's base pay plus other
395 recurring sums, such as flight pay and hazardous duty pay, not intended as
396 reimbursement of expenses, but excluding quarters allowances or other sums
397 designated as reimbursements.

398 e. Any employee who does not return to County employment at the expiration of
399 this military leave, if able to do so, shall refund all amounts received. Return to
400 County employment shall be governed by paragraph 3. above.

401 SECTION E. LEAVE OF ABSENCE WITHOUT PAY

402 1. REASONS FOR LEAVE OF ABSENCE WITHOUT PAY – A permanent or
403 probationary employee, upon application in writing to and upon written approval of
404 the Appointing Authority may obtain a leave of absence without pay, whenever such
405 leave is considered to be in the best interest of the County service or for other
406 reasons, including but not limited to:

407 a. physical or mental disability of the employee;

408 b. pregnancy and/or maternity;

409 c. the employee has expressed the intent to become a partisan candidate for
410 elective office, or to take part in the management of a political party or partisan
411 political campaign, or has been appointed to public office;

412 d. the employee is entering upon a course of training for the purpose of improving
413 the quality of service to the County or preparing for promotion;

414 e. the employee in accordance with any agreement by St. Louis County with a
415 recognized employee organization is assuming the duties of a regular full-time
416 position with the organization, such leave of absence being governed by the
417 conditions and limitations specified in the agreement consistent with Section D of
418 this Rule.

419 f. because of extraordinary reasons, sufficient in the opinion of the Appointing
420 Authority to warrant such leave of absence.

421 2. CONDITIONS FOR GRANTING LEAVES OF ABSENCE WITHOUT PAY – Leaves
422 of absence without pay for any of the above reasons shall be subject to the following
423 regulations:

- 424 a. A copy of the written request for a leave of absence must be filed by the
425 Appointing Authority with the Personnel Director and sent with the payroll form
426 granting the leave.
- 427 b. Such leaves shall not be granted for more than 12 months, but upon written
428 application prior to the expiration of such leave, the Appointing Authority with the
429 approval of the Personnel Director, may grant an extension of leave not to
430 exceed 12 months at a time and subject to a total continuous leave of 48 months
431 if such leave appears to be in the best interest of the County and/or the
432 employee.
- 433 c. The individual may, upon making written application and with the approval of the
434 Appointing Authority, be returned to active duty prior to the expiration of a leave
435 of absence, provided a vacancy exists in a job classification which is the same as
436 or comparable to the position held by the employee prior to the leave or provided
437 the employee's position has been held vacant or filled on a temporary basis only
438 as recommended in writing by the Appointing Authority and approved by the
439 Personnel Director.
- 440 d. At the expiration of a leave of absence, the employee upon written request shall
441 be returned to active duty provided a vacancy exists in a job classification which
442 is the same as or comparable to the position held by the employee prior to the
443 leave or provided the employee's position has been held vacant or filled on a
444 temporary basis only as recommended in writing by the Appointing Authority and
445 approved by the Personnel Director. Upon restoration after a leave of absence
446 without pay, the employee shall be granted the seniority possessed on the date
447 of leave. If a position in a job classification which is the same as or comparable
448 to the position held by the employee prior to the leave is not available upon an
449 employee's return from a leave of absence, the leave of absence shall
450 automatically be extended for an additional 90 calendar days. If after the
451 conclusion of this extended period a position still is not available in a job
452 classification which is the same as or comparable to the position held by the
453 employee prior to the leave the employee shall be terminated.
- 454 e. If an appropriate vacancy exists, failure on the part of an individual to report for
455 work within three consecutive workdays after the expiration of a leave of absence

456 or an extension, except for valid reasons submitted in writing in advance, shall be
457 considered a resignation without notice.

458 f. Information regarding the impact of a leave of absence on an employee's
459 benefits is available from the Division of Personnel.

460 3. FAMILY AND MEDICAL LEAVE (Added July 23, 1993)

461 a. Any permanent employee is entitled to a total of 12 workweeks of leave during
462 any 12-month period provided that the employee has at least 1,040 hours in pay
463 status in the 12-month period immediately preceding the requested leave, and
464 the leave is taken for one or more of the following reasons:

- 465 (1) an employee is unable to perform the functions of the employee's position
466 because of the employee's own serious health condition;
- 467 (2) the birth of a son or daughter of an employee and to care for the child;
- 468 (3) the placement of a son or daughter with an employee for adoption or foster
469 care; and/or,
- 470 (4) to care for the spouse, domestic partner, son, daughter, domestic partner's
471 son or daughter, or parent of an employee, if the family member has a
472 serious health condition.

473 b. An employee who requests a family and medical leave and whose request is
474 approved will continue to receive their County paid medical benefits during the
475 leave and will be guaranteed to return to their position or an equivalent position
476 at the conclusion of the leave. It is the Appointing Authority's responsibility to
477 designate family and medical leave.

478 c. Employees will be required to substitute accrued paid leave for any part of the 12
479 weeks granted under the law as follows:

- 480 (1) Employees who request leave under the Family and Medical Leave Act
481 (FMLA) for their own serious health condition including giving birth to a child
482 will be required to substitute accrued sick leave, any accrued vacation, any
483 accrued paid time off, and then compensatory time before receiving unpaid
484 leave;
- 485 (2) Employees who request leave under the FMLA for the serious health
486 condition of others will be required to substitute accrued sick leave, accrued
487 vacation, accrued paid time off, and then compensatory time before
488 receiving unpaid leave;

- 489 (3) Employees who request leave under the FMLA for the care of a child after
490 birth or the placement of a child with the employee for adoption or foster
491 care will be required to substitute accrued vacation, accrued paid time off,
492 and then compensatory time before receiving unpaid leave.
- 493 (4) When an employee substitutes paid leave for unpaid leave, and the
494 substituted paid leave is less than 12 weeks in duration, the Appointing
495 Authority will provide an additional period of unpaid leave so that the total of
496 paid and unpaid leave provided equals not more than 12 weeks during any
497 12-month period.
- 498 (5) A husband and wife, or domestic partners who are both employed by St.
499 Louis County and are both eligible for leave under FMLA are permitted to
500 take only a combined total of 12 weeks of leave during any 12-month period
501 for birth or placement for adoption or foster care of a child.
- 502 (6) Any compensatory time used for family leave purposes will not count toward
503 the 12 weeks of time in a 12-month time period.
- 504 d. An employee requesting FMLA will do so using the forms provided by the
505 Director of Personnel.
- 506 e. Employees will be required to provide appropriate certification to support a
507 request for leave under the FMLA.
- 508 f. If an employee requests and is denied a family and medical leave, the employee
509 may file a grievance directly to the Appointing Authority.

510 SECTION F. ABSENCE WITHOUT LEAVE – Any absence of an employee from duty
511 that is not authorized by the employee's Appointing Authority under the provisions of
512 these rules shall be deemed to be an absence without leave. Any such absence shall
513 be without pay and may constitute grounds for disciplinary action up to and including
514 discharge. An employee who is absent from duty for three consecutive scheduled work
515 days without authorization shall be deemed to have resigned without notice from the
516 County service.

517 SECTION G. TIME OFF WITH PAY – An employee shall be granted time off with pay
518 by the Appointing Authority for any of the following reasons:

- 519 1. For absence due to a death in the employee's immediate family, not to exceed
520 three work days at any one time, except that time off for death in the family may
521 be extended at the discretion of the Appointing Authority upon presentation of

522 good and sufficient reason by the employee. "Immediate family" includes
523 spouse, domestic partner, parents, stepparents, grandparents, grandchildren,
524 brothers, sisters, children, stepchildren, father-in-law, mother-in-law, daughter-in-
525 law, son-in-law, brother-in-law, sister-in-law, or domestic partner's parents,
526 stepparents, grandchildren, brothers, sisters, children, stepchildren, father-in-law,
527 mother-in-law, daughter-in-law, son-in-law, brother-in-law, sister-in-law, or a
528 relative living in the same household.

- 529 2. For appearance before a court, legislative committee, or other judicial or quasi-
530 judicial body as a witness in their capacity as a County employee.
- 531 3. For service on a jury, but the employee shall only be paid the difference between
532 regular pay and pay as a juror.
- 533 4. For participation in promotional examinations held by the Division of Personnel or
534 the Commission or in other examinations which the employee may be required to
535 take by the ordinance or these rules.
- 536 5. Upon request by the Appointing Authority or employee, the Personnel Director
537 may authorize time off with pay under other unusual circumstances, in which the
538 grant of the leave would comport with the intent of this provision.

539 SECTION H. ADMINISTRATIVE TIME OFF – With the prior approval of the Appointing
540 Authority an employee may be granted time off with pay for any of the following
541 reasons:

- 542 1. attendance at professional conferences, institutes, or meetings when such
543 attendance in the opinion of the Appointing Authority may be expected to
544 contribute to the betterment of the County service and/or the employee's
545 professional development.
- 546 2. attendance at inservice training and other courses designed to improve the
547 employee's performance.

548 SECTION I. CANCELLATION OF LEAVES OF ABSENCE – If necessary for the
549 efficient operation of the business of the County, an employee on leave, other than sick
550 or military leave, may be notified by the Appointing Authority of an early termination of
551 leave and to return to duty within a reasonable period of time. Failure to return to duty
552 within a reasonable time after receipt of such notice may result in disciplinary action.
553 Any disciplinary action taken pursuant to this section may be appealed to the
554 Commission.

555 SECTION J. ENFORCEMENT OF LEAVE REGULATIONS AND RECORDS
556 MAINTENANCE – The Appointing Authority is responsible for the enforcement and
557 effective administration of paid time off, vacation, sick, military and other leave
558 regulations in that department or organizational unit. The Personnel Director is
559 responsible for prescribing the form and manner of recording and reporting leave
560 accumulations and absences and for records maintenance.